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8 **UNITED STATES BANKRUPTCY COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
10 **SACRAMENTO DIVISION**

11 In re:

12 FAIRWAY COMMONS II, LLC,

13
14 Debtor.

Case No. 11-35255

Chapter 11

Assigned to Hon. Christopher M. Klein

15 **MOTION FOR RELIEF FROM THE**
16 **AUTOMATIC STAY PURSUANT TO**
17 **11 U.S.C. § 362(D)**

18 Date: June 28, 2011

Time: 11:00 a.m.

19 Place: Courtroom No. 35, 6th Floor
501 I Street
Sacramento, CA

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1 Roseville Portfolio MSCI 2006-HQ8 LLC ("Roseville"), by and through counsel
2 undersigned, hereby moves this Court for an order: (i) granting Roseville relief from the
3 automatic stay pursuant to section 362(d) of the United States Bankruptcy Code and
4 Federal Rule of Bankruptcy Procedure 4001 to permit the issuance and recordation of a
5 trustee's deed upon sale to fully perfect Roseville's ownership interests in certain property
6 previously owned by Fairway Commons II, LLC, the above-captioned debtor and debtor-
7 in-possession, and to permit Roseville to take any other action that may be necessary to
8 perfect its title to such property pursuant to California Civil Code Section 2924h(c); and
9 (ii) waiving the 14-day waiting period under Federal Rule of Bankruptcy Procedure
10 4001(a)(3) to allow the issuance and recordation of the trustee's deed on or before July 5,
11 2011.

12 This Motion is more fully supported by (i) the concurrently filed Memorandum of
13 Points and Authorities and the exhibits attached thereto, (ii) the concurrently filed
14 Declaration of Norm A. Chernin, (iii) the concurrently filed Declaration of Dan Dawson,
15 (iv) the concurrently filed Declaration of Cheryl T. Eskridge, (v) the papers and records in
16 this case, and (vi) any evidence and argument presented at the hearing on this Motion.

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18 Dated: June 24, 2011

BRYAN CAVE LLP
H. Mark Mersel

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20 By: /s/ H. Mark Mersel
21 H. Mark Mersel
22 Attorneys for Roseville Portfolio MSCI 2006-
23 HQ8 LLC
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